

DP

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

★ NOV 19 2009 ★

LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X

IN RE: AMERICAN HOME MORTGAGE  
SECURITIES LITIGATION

----- X

THIS DOCUMENT RELATES TO  
09-CV-3221

MEMORANDUM

07-MD-1898 (TCP)

----- X

PLATT, District Judge.

On March 19, 2008, this Court issued an Order (1) consolidating all related actions, (2) appointing lead plaintiff's counsel, (3) approving lead plaintiff's selection of counsel and (4) establishing a briefing schedule.

The Court's Order with respect to newly filed or transferred actions is as follows:

6. When a case that arises out of the same subject matter of the Consolidated Action is hereafter filed in this Court or transferred from another Court, the Clerk shall:
  - a. File a copy of this Order in the separate file for such action,

- b. Mail a copy of this Order to the attorneys for the Plaintiff(s) in the newly-filed or transferred case and to any Defendant(s) in the newly-filed or transferred case, and
  - c. Make the appropriate entry in the Master Docket for the Consolidated Action.
7. Each new case that arises out of the subject matter of the Consolidated Action which is filed in this Court or transferred to this Court, shall be consolidated with the Consolidated Action and this Order shall apply thereto, unless a party objects to consolidation . . . .

Today, this Court has issued the following Order:

Upon the Court's determination that civil case, Utah Retirement Systems v. Strauss, et al., 09-CV-3221, arises out of the same subject matter as the above named consolidated action, 07-MD-1898, and pursuant to this Court's Order dated March 19, 2008, in the consolidated case (DE # 5), it is hereby Ordered that 09-CV-3221 is, for

all purposes, consolidated with 07-MD-1898.

On July 30, 2009, this Court ordered:

14. Class Members (including Offerings Subclass Members) shall be bound by all applicable determinations and judgments in this Action, whether favorable or unfavorable, unless such persons request exclusion from the Class in a timely and proper manner, as hereinafter provided. A Class Member wishing to make such request shall mail the request in written form by first-class mail to the address designated in the Notice, such that it is received no later than twenty-one (21) calendar days prior to the Settlement Hearing. . . .

Given the Court's finding that Utah Retirement Systems v. Strauss, et al. is a part of the Class, it is, should it choose to do so, required to comply with paragraph 14 of the July 30, 2009 Order of the Court.

  
\_\_\_\_\_  
United States District Judge

Dated: Central Islip, New York  
November 19, 2009